

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
                                Plaintiff,      )      8:19CR331  
                                )  
                                vs.                 )  
                                )  
MERRILL JOHNSTON,        )      ORDER  
                                )  
                                Defendant.     )

This matter is before the court on the Unopposed Motion to Continue Trial [46]. Counsel needs additional time to negotiate a resolution short of a trial. For good cause shown,

**IT IS ORDERED** that the Unopposed Motion to Continue Trial [46] is granted, as follows:

1. The jury trial now set for June 28, 2021 is continued to **August 30, 2021**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and August 30, 2021**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

**DATED: June 23, 2021.**

**BY THE COURT:**

**s/ Susan M. Bazis  
United States Magistrate Judge**